

Before the Board of Zoning Adjustment of D. C.

Application No. 11875, of Arthur H. Keyes, Jr., for further processing under Article 75 to permit additions and modifications at first floor level and mezzanine level of the existing office building located at 1320 19th Street, N. W., known as Stage One under Zoning Commission Order No. 101 at Lots 81, Square 115, containing 4,225 square feet.

HEARING DATE: April 16, 1975

EXECUTIVE SESSION: April 22, 1975

FINDINGS OF FACT:

1. The applicant proposes to make additions and modifications within an existing office building located at 1320 19th Street, N. W. which will add approximately 4,225 square feet of floor at the first floor level and mezzanine level. The additions and modifications are identical to those presented to the Zoning Commission in Z.C. Case No. 71-30F.

2. Copy of the plans filed with Zoning Commission and identified at page 9, paragraph 2, in Zoning Commission Order No. 101 as Exhibits 7A, B, C and D are similarly identified in the record of this appeal.

3. The applicant submitted specific information to show compliance with each and every requirement of Section 7501.41 of the Zoning Regulation.

4. The Board finds that the report of the Zoning Division of Municipal Planning Office is correct in reporting that applicant complies with Z. C. Order No. 101 provided that the five conditions set forth in their report are made conditions by this Board in its order of approval.

5. The applicant has complied with requirements of Section 8207.2 of the Zoning Regulations.

6. Opposition was registered regarding the hearing of this case until the pending court case is decided. The Board notes that the Zoning Commission completed its zoning hearings on the final application when court proceedings were pending.

CONCLUSIONS OF LAW:

Based upon the above Findings of Fact, the Board is of the opinion that the applicants have met the requirements of Section 7501.4 for further processing by the Board. The Board finds that the development proposals considered at the hearing are consistent with the plans and guidelines approved by the Zoning Commission. Therefore, the proposed additions and alterations to 1320 19th Street are approved.

The Board approves the application to be developed in accordance with the plans on file as Exhibits A, B, C and D and the following conditions:

1. Approval of this application by the Zoning Commission and the Board of Zoning Adjustment shall not relieve the applicant of the responsibility of conforming to all other applicable codes and ordinances of the District of Columbia.

2. The change of zoning shall not be effective until the recordation of the covenant required by sub-section 7501.2 to include conditions for the preservation of the Heurich Mansion and Carriage House and completion of the planned unit development process.

3. The order of the Board granting approval shall not become effective until after all four property owners involved in the PUD have filed the required covenants insuring compliance with the Zoning Commission approval and completion of the PUD process.

4. The order shall be valid for a period of 18 months, during which period plans shall be filed for the purpose of securing a building permit.

5. The Board shall retain jurisdiction to interpret and apply the terms and conditions of this order and to make plan corrections and minor modifications of such plans.

ORDERED:


That the above application be GRANTED CONDITIONALLY.

VOTE:

3-1-0 (Mr. Harps not present, Lilla Burt Cummings, Esq.
dissenting on basis that Board is without
jurisdiction to hear and decide this case
which has been appealed to D.C. Court of Appeals)

BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED By:


JAMES E. MILLER
Secretary to the Board

FINAL DATE OF ORDER: APR 28 1975

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF
EIGHTEEN MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR
OCCUPANCY PERMIT IS FILED WITH THE DEPARTMENT OF ECONOMIC
DEVELOPMENT WITHIN A PERIOD OF EIGHTEEN MONTHS AFTER THE EFFECTIVE
DATE OF THIS ORDER.

Before the Board of Zoning Adjustment, D. C.

Application No. 11875, of Arthur H. Keyes, Jr. for further processing of a planned unit development under sub-section 7501.4 to permit additions and modifications at first floor level and mezzanine level of the existing office building located at 1320 19th Street, N. W., known as Stage 1 under Zoning Commission Order No. 101 (Square 115, Lot 81).

HEARING DATE: April 16, 1975

DECISION DATE: April 22, 1975

DISPOSITION: Application GRANTED with conditions by a vote of 3-1 (Scrivener, Harps and McIntosh to grant, Cummings to deny on the basis that the Board is without jurisdiction to hear and decide the case which has been appealed to the Court of Appeals, and Mr. Klauber not present, not voting).

FINAL DATE OF ORDER: April 28, 1975

ORDER:

Upon consideration of the opposition's motion for Stay of Order for Further Processing Pending Decision on Petition for Review by the District of Columbia Court of Appeals, dated October 15, 1975, the Board finds that the motion does not set forth adequate grounds for the Board to stay its own order, and that the petitioner has recourse through the courts if it desires further relief. It is therefore, ordered that the request for stay be DENIED.

VOTE: 3-1 (Harps, McIntosh and Klauber to deny, Scrivener to grant by proxy and Cummings not present, not voting.)

BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED By: _____

STEVEN E. SHER

Acting Secretary to the Board

FINAL DATE OF ORDER: FEB 27 1976